

FACSIMILE BROWN MARTIN HALLER & McCLEAINTO FAX NO.: 1-703-308-2571ATTENTION: Examiner Jeffrey A. Shapiro
Group Art Unit 3651
FROM: J.W. McClainNumber of pages: 14
(including cover page)Date of transmission: December 24, 2001Attorney Docket No.: 7480 PA1CP2Attorneys at Law
Patents, Trademarks,
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San Diego, California 92101-2926Phone: (619) 238-0999
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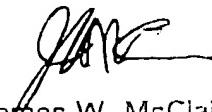
Re: Patent Application Ser. No. 09/364,794, filed July 30, 1999, for VACUUM PNEUMATIC SYSTEM FOR CONVEYANCE OF ICE; Inventor(s): J. Eric Berg et al.

Submitted herewith by facsimile are the following papers:

- A. Response under 37 C.F.R. § 1.116 [11 pages]
- B. Transmittal Form (PTO/SB/21) [1 page]
- C. Fee Transmittal for FY 2002 (PTO/SB/17) [1 page]
- D. This Facsimile Cover Sheet [1 page]

The Patent and Trademark Office is authorized to charge Deposit Account No. 02-4070 for all fees, if any, associated with submission of this correspondence.

Respectfully submitted,


 James W. McClain
 Attorney for Applicants
 Reg. No. 24,536

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Amendment*

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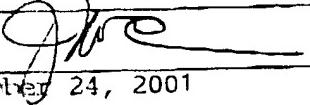
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PTO/SB/21 (08-00)
Approved for use through 10/31/2002, OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/364,794
		Filing Date	July 30, 1999
		First Named Inventor	J. Eric Berge
		Group Art Unit	3651
		Examiner Name	Jeffrey A. Shapiro
Total Number of Pages In This Submission	14	Attorney Docket Number	7480 PA1CP2

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Faxsimile Transmittal Sheet
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James W. McClain, Reg. No. 24,536
Signature	
Date	December 24, 2001

CERTIFICATE OF MAILING	
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PTO/SB/17 (11-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete if Known

Application Number	09/364,794
Filing Date	JULY 30, 1999
First Named Inventor	J. Eric Berge
Examiner Name	Jeffrey A. Shapiro
Group Art Unit	3651
Attorney Docket No.	7480 PA1CP2

METHOD OF PAYMENT (check all that apply)

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Brown Martin Haller ...

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370			Utility filing fee	
106 330	206 185			Design filing fee	
107 510	207 255			Plant filing fee	
108 740	208 370			Reissue filing fee	
114 160	214 80			Provisional filing fee	
SUBTOTAL (1) (\$ 0.00)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20** =	x	=
		-3** =	x	=

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9			Claims in excess of 20	
102 84	202 42			Independent claims in excess of 3	
104 280	204 140			Multiple dependent claim, if not paid	
109 84	209 42			** Reissue independent claims over original patent	
110 18	210 9			** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$ 0.00)					

** or number previously paid, if greater; For Reissues, see above

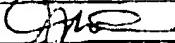
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65			Surcharge - late filing fee or oath	
127 50	227 25			Surcharge - late provisional filing fee or cover sheet	
139 130	139 130			Non-English specification	
147 2,520	147 2,520			For filing a request for ex parte reexamination	
112 920*	112 820*			Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*			Requesting publication of SIR after Examiner action	
115 110	215 55			Extension for reply within first month	
116 400	216 200			Extension for reply within second month	
117 920	217 480			Extension for reply within third month	
115 1,440	218 720			Extension for reply within fourth month	
128 1,980	228 980			Extension for reply within fifth month	
119 320	218 160			Notice of Appeal	
120 320	220 160			Filing a brief in support of an appeal	
121 280	221 140			Request for oral hearing	
136 1,510	138 1,510			Petition to Institute a public use proceeding	
140 110	240 55			Petition to revive - unavoidable	
141 1,280	241 640			Petition to revive - unintentional	
142 1,280	242 640			Utility issue fee (or reissue)	
143 460	243 230			Design issue fee	
144 620	244 310			Plant issue fee	
122 130	122 130			Petitions to the Commissioner	
123 50	123 50			Processing fee under 37 CFR 1.17(q)	
126 180	126 180			Submission of Information Disclosure Stmt	
581 40	581 40			Recording each patent assignment per property (including number of properties)	
146 740	246 370			Filing a submission after final rejection (37 CFR § 1.120(a))	
149 740	249 370			For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370			Request for Continued Examination (RCE)	
169 900	169 800			Request for expedited examination of a design application	
Other fee (specify) _____					
SUBTOTAL (3) (\$ 0.00)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY	Complete if applicable		
Name (Print/Type)	James W. McClain	Registration No. (Attorney/Agent)	24,536 Telephone 619-238-0999
Signature			
Date	12/24/01		

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of) FOR: VACUUM PNEUMATIC SYSTEM FOR
J. ERIC BERGE ET AL.) CONVEYANCE OF ICE
Serial No.: 09/364,794)
Filing Date: July 30, 1999) Group Art Unit: 3651

RESPONSE UNDER 37 C.F.R. § 1.16

Hon. Commissioner for Patents
Washington, D.C. 20231

Attention: Jeffrey A. Shapiro
Examiner

Dear Sir:

This communication is further in response to the Office Action designated Paper No. 14.

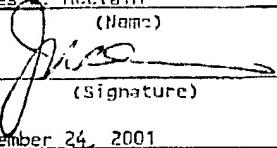
Please amend the above-identified patent application as follows:

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on December 24, 2001

James W. McClain

(Name)



J. W. McClain

(Signature)

December 24, 2001

(Date of Signature)